

FILED

MAR 14 2008

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA )

v. )

JACK FURMAN DEAN, JR. )

CR. NO. 2:08CR65-MHT

[18 USC § 1466A(a)(2);

18 USC § 2252A(a)(5)(B)]

INDICTMENT

The Grand Jury charges:

1. Beginning in or about 1992, and continuing until on or about August 14, 1998, in Montgomery County, within the Middle District of Alabama, the defendant, JACK FURMAN DEAN, JR., repeatedly used, persuaded, induced, enticed, and coerced a minor female to engage in actual and simulated acts of bondage, sexual torture, sadistic abuse, and graphic sexual intercourse, including genital-genital, oral-genital, and anal-genital intercourse, for the purpose of producing visual depictions of such conduct (hereinafter "the old visual depictions").

2. DEAN produced the old visual depictions using Betamax and VHS camcorders and other materials that had been mailed, shipped, and transported in interstate and foreign commerce.

3. In subsequent years, as the prevailing home video technology changed, DEAN used various media recorders to convert the old visual depictions from their native formats (and in some cases successive formats) to digital video disks (DVDs). As a result of this DVD conversion process, DEAN knowingly produced new visual depictions of the actual and simulated acts described in paragraph 1 (hereinafter "the new visual depictions").

4. The DVDs that DEAN used to produce the new visual depictions had been manufactured outside the State of Alabama.

**COUNT 1**

**Producing an Obscene Visual Representation of the Sexual Abuse of a Child**

5. Paragraphs 1 through 4 of this Indictment are incorporated herein by reference.

6. Sometime after March 31, 2004, the exact date or dates being unknown to the grand jury, in Montgomery County, within the Middle District of Alabama,

JACK FURMAN DEAN, JR.,

defendant herein, did knowingly produce visual depictions of a minor engaging in actual and simulated acts of sadistic abuse and graphic sexual intercourse, including genital-genital, oral-genital, and anal-genital intercourse. The visual depictions lacked serious literary, artistic, political, or scientific value and were produced using materials that had been shipped and transported in interstate and foreign commerce. All in violation of Title 18, United States Code, Section 1466A(a)(2).

**COUNT 2**

**Possessing Child Pornography**

7. Paragraphs 1 through 6 of this Indictment are incorporated herein by reference.

8. On or about September 24, 2007, in Montgomery County, within the Middle District of Alabama,

JACK FURMAN DEAN, JR.,

defendant herein, did knowingly possess film, videotape, DVDs, and other materials containing images of child pornography, that is, visual depictions of a minor engaging in sexually explicit conduct, which images were produced using materials that had been mailed, shipped and transported in interstate and foreign commerce. All in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

FORFEITURE ALLEGATION 1

A. Paragraphs 1 through 8 of this Indictment are incorporated herein by reference.

B. Upon conviction for the violation as alleged in Count 1 of this Indictment, the defendant,

JACK FURMAN DEAN, JR.,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1467:

(1) any obscene material produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 1466A;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and,

(3) any property, real or personal, used and intended to be used to commit or to promote the commission of such offense.

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant,

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred and sold to, and deposited with a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or,

(5) has been commingled with other property which cannot be divided without difficulty, the United States intends to seek an order of this Court forfeiting any other property of said defendant up to the value of any property described in paragraph B above.

All in violation of Title 18, United States Code, Section 1466A(a)(2).

FORFEITURE ALLEGATION 2

A. Paragraphs 1 through 8 of this Indictment are incorporated herein by reference.

B. Upon conviction for the offense alleged in Count 2 of this Information, the defendant,

JACK FURMAN DEAN, JR.,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253:

(1) any visual depiction described in Title 18, United States Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of that Section;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and,

(3) any property, real or personal, used and intended to be used to commit and to promote the commission of such offense.

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant,

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred and sold to, and deposited with a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

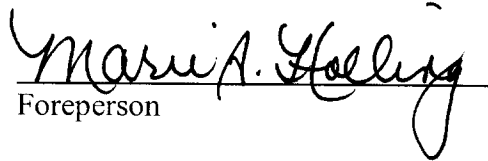
(5) has been commingled with other property which cannot be divided

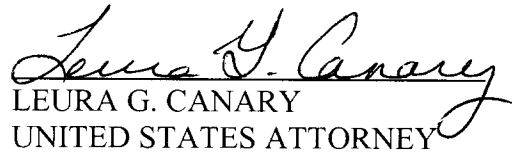
without difficulty, the United States intends to seek an order of this Court forfeiting any other

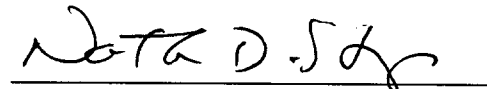
property of said defendant up to the value of any property described in paragraph B above.

All in violation of Title 18, United States Code, Section 2252A.

A TRUE BILL:

  
Foreperson

  
LEURA G. CANARY  
UNITED STATES ATTORNEY

  
Nathan D. Stump  
Assistant United States Attorney